

# **EXHIBIT A**

**No. 22-40225**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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**YOUNG CONSERVATIVES OF TEXAS FOUNDATION,  
*Plaintiff-Appellee***

**v.**

**NEAL SMATRESK, PRESIDENT OF THE UNIVERSITY OF NORTH TEXAS;  
SHANNON GOODMAN, PRESIDENT OF THE UNIVERSITY OF NORTH TEXAS,  
*Defendants-Appellants***

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On Appeal from the United States District Court for the Eastern District of Texas,  
Sherman Division, No. 4:20-CV-973

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**APPELLANTS' UNOPPOSED MOTION FOR LEVEL TWO EXTENSION OF TIME**

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Appellants Neal Smatresk and Shannon Goodman respectfully move for a 40-day extension of time to file their Appellants' Brief. The current deadline for filing the brief is June 13, 2022. With the requested 40-day extension, the new deadline would be July 25, 2022.

Appellee is unopposed to the requested 40-day extension of time.

This is a Level 2 Extension request pursuant to Fifth Circuit Rule 31.4.3.2. No other extensions have been sought or granted for this deadline.

Appellants identify the following pre-existing briefing deadlines as good cause for the extension pursuant to Fifth Circuit Rule 31.4.3.2:

- Appellee's Brief in *HouseCanary, Inc. v. Title Source, Inc.*, in the Fourth District Court of Appeals at San Antonio, No. 04-21-00584-CV, filed May 25, 2022;
- Petition for Writ of Mandamus in *In re Eureka Holdings Acquisitions, L.P.*, in the Third District Court of Appeals at Austin, No. 03-22-00313-CV, filed May 27, 2022;
- Motions for Rehearing and Rehearing En Banc in *City of Fort Worth v. Rylie*, in the Supreme Court of Texas, No. 18-1231, filed June 1, 2022;
- Reply Brief on the Merits in *In re Rudolph Automotive, LLC*, in the Supreme Court of Texas, No. 21-0135, due June 6, 2022;
- Appellees' Brief in *Doe v. Roman Catholic Archdiocese of San Antonio, et al.*, in the Fourth District Court of Appeals at San Antonio, No. 04-22-00005-CV, due June 6, 2022;
- Petition for Review in *ERCOT v. Panda Power Generation Infrastructure Fund, LLC, d/b/a Panda Power Funds, et al.*, in the Supreme Court of Texas, No. 22-0196, due June 10, 2022;
- Reply in Support of Petition for Review in *City of El Paso v. Grossman*, in the Supreme Court of Texas, No. 21-1105, due June 13, 2022;

- Reply in Support of Petition for Review in *TJFA, L.P., et al. v. TCEQ, et al.*, in the Supreme Court of Texas, No. 21-0717, due June 16, 2022;
- Reply Brief in *Eureka Holdings Acquisitions, LLC v. Marshall Apartments, LLC*, in the Third District Court of Appeals at Austin, No. 03-21-00442-CV, due June 20, 2022;
- Brief on the Merits in support of Petition for Writ of Mandamus in *In re Auburn Creek Limited Partnership, et al.*, in the Supreme Court of Texas, No. 21-0886, due June 20, 2022;
- Reply Brief on the Merits in *RSS MSBAM2014C17-TX HAH, LLC v. Houston Airport Hospitality LP*, in the First District Court of Appeals at Houston, No. 01-21-00042-CV, due June 21, 2022;
- Response Brief on the Merits in *Andrew Thomas v. Kent Hoffman*, in the Supreme Court of Texas, No. 21-0711, due June 22, 2022;
- Appellant's Brief in *Brazos Electric Power Cooperative, Inc. v. ERCOT*, in the U.S. Court of Appeals for the Fifth Circuit, No. 22-20056, due June 24, 2022; and

Counsel has made adjustments where possible in the scheduling of briefing in other cases, but still requires additional time for the preparation of the Appellants' Brief in this case.

This unopposed extension is requested not for purposes of delay, but to enable counsel to prepare and submit a brief that is helpful to the Court.

For these reasons, Appellants request that the deadline for the Appellants' Brief be extended to on or before July 25, 2022.

Respectfully submitted,

s/ Wallace Bernard Jefferson

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**ATTORNEYS FOR APPELLANTS**

## CERTIFICATE OF CONFERENCE

I certify that on June 2, 2022, I conferred with counsel of record for the Young Conservatives of Texas Foundation and counsel stated his client did not oppose the relief sought in this motion.

s/ Melanie D. Plowman  
Melanie D. Plowman  
Attorney for Appellants

## CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2022, I used the Court's CM/ECF system to serve this motion on all parties through counsel of record, listed below:

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